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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,123	06/06/2001	Yasushi Usami	0052/057001	7888
22893	7590	01/04/2005	EXAMINER	
SMITH PATENT OFFICE 1901 PENNSYLVANIA AVENUE N W SUITE 200 WASHINGTON, DC 20006			GRANT II, JEROME	
			ART UNIT	PAPER NUMBER
			2626	
DATE MAILED: 01/04/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/874,123	USAMI, YASUSHI	
	Examiner	Art Unit	
	Jerome Grant II	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on ____.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-16 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1, 2, 5-7 and 10-16 is/are rejected.

7) Claim(s) 3,4,8 and 9 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____

U.S. Patent and Trademark Office
PTOL-326 (Rev. 1-04)

Office Action Summary

Part of Paper No /Mail Date 20041227

1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5, 6 and 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Yonemoto.

With respect to claim 1, Yonemoto teaches a transmission device (shown by figure 1) for transmitting a plurality of groups of image data stored in storage section 1020 to a prescribed plurality of reception devices connected to a network 1201, see col. 9, lines 5-10; comprising: a memory (1010) which stores destination data identifying an image reception device forming a transmission destination, see col. 9, lines 7-9 and timing data (generated by time set unit 1143) indicating the timing at which transmission was

instructed, in a corresponding fashion with each group of image data to be transmitted, see figure 6.

Yonemoto teaches a setter (transmission control means 1000 and accompanied keyboard shown by figure 1) which sets a transmission order for image data on the bases of the timing data(see figure 6 regarding order of transmission to apparatus A, B and C). Yonemoto teaches a transmission controller 1030 which controls a plurality of image data corresponding to a plurality of transmission destinations, in such a manner that the image data is transmitted in parallel according to the transmission order. See col. 9, lines 18-27 for parallel (simultaneous broadcast of transmission data to each destination. See also col. 9, lines 10-17.

With respect to claims 5, 10 and 12, Yonemoto teaches transmission over the Internet. See figure 16, see col. 9, lines 28-52 for transmission using Internet addresses.

With respect to claim 6, Yonemoto teaches a transmission device (shown by figure 1) for transmitting a plurality of groups of image data comprising the steps of: storing transmission data as claimed via storage section 1020 to a prescribed plurality of reception devices connected to a network 1201, see col. 9, lines 5-10; comprising: a memory (1010) which stores destination data identifying an image reception device

forming a transmission destination, see col. 9, lines 7-9 and timing data (generated by time set unit 1143) indicating the timing at which transmission was instructed, in a corresponding fashion with each group of image data to be transmitted, see figure 6.

Yonemoto teaches setting a transmission order for image data as claimed via a setter (transmission control means 1000 and accompanied keyboard shown by figure 1) which sets a transmission order for image data on the bases of the timing data(see figure 6 regarding order of transmission to apparatus A, B and C).

Yonemoto teaches controlling a plurality of image data via a transmission controller 1030 which controls a plurality of image data corresponding to a plurality of transmission destinations, in such a manner that the image data is transmitted in parallel according to the transmission order. See col. 9, lines 18-27 for parallel (simultaneous broadcast of transmission data to each destination. See also col. 9, lines 10-17.

With respect to claim 11, Yonemoto teaches a computer readable storage medium (disk stored in the disk drive of processor 1000) for storing a program for transmitting a plurality of groups of image data stored in a storage section to a prescribed plurality of image data reception devices connected thereto via a network, such that: Transmitting data as claimed via storage section 1020 to a prescribed plurality of reception devices connected to a network 1201, see col. 9, lines 5-10; comprising: a memory (1010) which stores destination data identifying an image reception device

forming a transmission destination, see col. 9, lines 7-9 and timing data (generated by time set unit 1143) indicating the timing at which transmission was instructed, in a corresponding fashion with each group of image data to be transmitted, see figure 6.

Yonemoto teaches setting a transmission order for image data as claimed via a setter (transmission control means 1000 and accompanied keyboard shown by figure 1) which sets a transmission order for image data on the bases of the timing data(see figure 6 regarding order of transmission to apparatus A, B and C).

Yonemoto teaches a plurality of image data are controlled via a transmission controller 1030 which controls a plurality of image data corresponding to a plurality of transmission destinations, in such a manner that the image data is transmitted in parallel according to the transmission order. See col. 9, lines 18-27 for parallel (simultaneous broadcast of transmission data to each destination. See also col. 9, lines 10-17.

2.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 7 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yonemoto in view of Ogawa.

With respect to claims 2 and 7, Yonemoto teaches wherein the memory stores transmission data identifying the reception device, see col. 9, lines 4-9.

However, Yonemoto does not teach the timing data, the priority data and the setter as claimed.

Ogawa teaches a timing data (generated by timing unit 16) indicating the timing at which transmission was instructed, and priority data (set by unit 14) indicating a transmission priority, in a correspondence with each group of image that is transmitted, and the setter 14 sets a transmission order for the image data for each transmission destination (see col. 3, lines 30-33) on the basis of the timing data and the priority data, from priority/time decision unit 17 shown b figure 2B.

Since Yonemoto and Ogawa are both directed toward transmission of image data, the purpose of setting a time and a priority of transmissions to multiple recipients would have been recognized by Yonemoto as set forth by Ogawa. It would have been obvious to one of ordinary skill in the art to modify or replace the control means 1000 of Yonemoto with the structure of the control means 12 of Ogawa for the purpose of designating a setting means for setting the priority and time for plural transmission to different receiving apparatus, as clearly set forth by Ogawa.

With respect to claim 13, Yonemoto teaches a transmission device (shown by figure 1) for transmitting a plurality of groups of image data stored in storage section 1020 to a prescribed plurality of reception devices connected to a network 1201, see col. 9, lines 5-10; comprising: a memory (1010) which stores destination data identifying an image reception device forming a transmission destination, see col. 9, lines 7-9 and timing data (generated by time set unit 1143) indicating the timing at which transmission was instructed, in a corresponding fashion with each group of image data to be transmitted, see figure 6.

Yonemoto teaches a setter (transmission control means 1000 and accompanied keyboard shown by figure 1) which sets a transmission order for image data on the bases of the timing data(see figure 6 regarding order of transmission to apparatus A, B and C). Yonemoto teaches a transmission controller 1030 which controls a plurality of image data corresponding to a plurality of transmission destinations, in such a manner

that the image data is transmitted in parallel according to the transmission order. See col. 9, lines 18-27 for parallel (simultaneous broadcast of transmission data to each destination. See also col. 9, lines 10-17.

Yonemoto does not teach a judging means for judging whether a print operation is to be performed.

However, Ogawa teaches reception devices 13 having a recording unit for printing information on the basis of image data stored in memory 11 and judging means 16 for judging whether a printing job has been instructed according to its priority and time of recording. See figure 2B.

Since, Yonemoto and Ogawa are both directed toward sending image data across a network, the purpose of having a receiver for printing data which has been received would have been recognized by Yonemoto as set forth by Ogawa.

It would have been obvious to one of ordinary skill in the art to replace receiving unit 1101 of Yonemoto with a printer as a receiving unit, as set forth in Ogawa, for the purpose of printing an image when it has been determined that a print job has been instructed.

With respect to claim 15, Yonemoto teaches a transmission device (shown by figure 1) for transmitting a plurality of groups of image data comprising the steps of: storing transmission data as claimed via storage section 1020 to a prescribed plurality of reception devices connected to a network 1201, see col. 9, lines 5-10; comprising: a memory (1010) which stores destination data identifying an image reception device forming a transmission destination, see col. 9, lines 7-9 and timing data (generated by time set unit 1143) indicating the timing at which transmission was instructed, in a corresponding fashion with each group of image data to be transmitted, see figure 6.

Yonemoto teaches setting a transmission order for image data as claimed via a setter (transmission control means 1000 and accompanied keyboard shown by figure 1) which sets a transmission order for image data on the bases of the timing data(see figure 6 regarding order of transmission to apparatus A, B and C).

Yonemoto teaches controlling a plurality of image data via a transmission controller 1030 which controls a plurality of image data corresponding to a plurality of transmission destinations, in such a manner that the image data is transmitted in parallel according to the transmission order. See col. 9, lines 18-27 for parallel (simultaneous broadcast of transmission data to each destination. See also col. 9, lines 10-17.

Yonemoto does not teach a judging means for judging whether a print operation is to be performed.

However, Ogawa teaches reception devices 13 having a recording unit for printing information on the basis of image data stored in memory 11 and judging means 16 for judging whether a printing job has been instructed according to its priority and time of recording. See figure 2B.

Since, Yonemoto and Ogawa are both directed toward sending image data across a network, the purpose of having a receiver for printing data which has been received would have been recognized by Yonemoto as set forth by Ogawa.

It would have been obvious to one of ordinary skill in the art to replace receiving unit 1101 of Yonemoto with a printer as a receiving unit, as set forth in Ogawa, for the purpose of printing an image when it has been determined that a print job has been instructed.

With respect to claim 14 and 16, Yonemoto teaches transmission over the Internet. See figure 16, see col. 9, lines 28-52 for transmission using Internet addresses.

3. Claims Objected

Claims 3, 4, 8 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 703-305-4391. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams, can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



J. Grant II